

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

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V.

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CASE NO. 21-cr-00458-JKB-1

ELIAS NICK COSTIANES, JR.

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**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL**

**AND**

**DEFENDANT'S REQUEST FOR BRIEF EXTENSION TO FILE  
SUPPLEMENT TO RULE 48 MOTION**

The Defendant, by and through counsel, Megan E. Coleman, Esq. and the law office of MarcusBonsib, LLC, hereby files this Motion for Leave to Withdraw as Counsel and Request for Brief Extension to File Supplement to Rule 48 Motion and as reasons in furtherance thereof states as follows:

**I. Motion for Leave to Withdraw as Counsel**

On May 19, 2025, Mr. Costianes contacted undersigned counsel in writing *via* CORRLINKS, the electronic mail system set up for inmates within the U.S. Bureau of Prisons. Mr. Costianes informed undersigned counsel that he would like to have an attorney named Carol Stewart, Esq. represent him in this Court, and that he is “terminating” representation of undersigned counsel in the U.S. District Court for the District of Maryland. Mr. Costianes further requested that undersigned counsel file a motion to withdraw in this matter.

The Local Rules for the U.S. District Court for the District of Maryland provide that in criminal matters, “[c]ounsel for a defendant may withdraw their appearance only with leave of court[.]” *See* L.R. 201.3.

Undersigned counsel is hereby requesting permission to withdraw her appearance in this Court and asks this Court to find good cause in allowing her to withdraw.

First, undersigned counsel was court-appointed. Mr. Costianes has decided to utilize an attorney of his choice, rather than an attorney appointed by the Court, and Mr. Costianes expressly requested that undersigned counsel no longer represent him in this Court.

Second, the attorney selected by Mr. Costianes is Carol Stewart, Esq., an attorney who has already entered her appearance in the Fourth Circuit and filed briefing there on behalf of Mr. Costianes in matters relating to issues before this Court, including the application of the pardon and the Government's Rule 48 Motion.

Undersigned counsel contacted Assistant United States Attorney David Bornstein who represented that the Government takes no position regarding undersigned counsel's motion for leave to withdraw as counsel.

**II. Defendant's Request for Brief Extension of Deadline to File Supplement to Rule 48 Motion**

On May 9, 2025, this Court issued an Order directing the parties to file any supplemental briefing regarding the pending Rule 48 Motion by May 27, 2025. *See* ECF Doc. 178.

When Mr. Costianes e-mailed undersigned counsel on May 19, 2025, Mr. Costianes asked undersigned counsel to request a brief extension of that deadline so that if undersigned counsel is permitted to withdraw, and if attorney Stewart enters, the new attorney will have additional time to file a supplement.

The defense is requesting a brief extension until June 4, 2025 to provide any supplemental briefing on the Rule 48 Motion.

Undersigned counsel contacted Assistant United States Attorney David Bornstein who represented that the Government consents to the extension of time and further, if the request for the extension is granted, the Government asks that it also have until June 4, 2025 to file any supplement.

WHEREFORE, undersigned counsel respectfully requests that this Honorable Court grant the relief prayed.

Respectfully submitted,

MARCUSBONSIB, LLC

/s/ Megan E. Coleman

Megan E. Coleman

Bar # 17552

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was served this 20<sup>th</sup> day of May, 2025, upon the Office of the United States Attorney, *via* CM/ECF and Mr. Costianes *via* CORRLINKS and USPS at Elias Nick Costianes, Register # 29954-509, FCI Beckley, Federal Correctional Institution, P.O. Box 350, Legal Mail, Beaver, WV 25813.

/s/ Megan E. Coleman

Megan E. Coleman

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**ORDER**

Upon consideration of the Defendant's Motion for Leave to Withdraw as Counsel and Request for Brief Extension to File Supplemental Response to Rule 48 Motion, it is this \_\_\_\_\_ day of \_\_\_\_\_; 2025, hereby ORDERED that the Motion is GRANTED as follows:

1. The Court hereby strikes the appearance of Megan E. Coleman, Esq.; and
2. The Defendant and the Government shall file any Supplement to the Rule 48 Motion by June 4, 2025.

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HONORABLE JAMES K. BREDAR  
U.S. DISTRICT COURT JUDGE  
FOR THE DISTRICT OF MARYLAND